

EX PARTE OR LATE FILED

ORIGINAL
FILE

To: Donna R. Searcy
Secretary

RL From: Ray LaForge
Acting Chief, Frequency Allocations Branch

Subject: Letters to the Commission regarding GEN Docket No. 90-217
and ET Docket No. 92-28.

Date: July 28, 1992

Attached are two letters from Motorola Inc. and from Levental, Senter and Lerman to the Chairman and each of the Commissioners. Since these letters relate to the subject dockets we are enclosing two copies of each and we request that one copy of each set of documents be placed in the pioneer's preference portion of the Docket 92-28 folder and in the 90-217 folder.

Your assistance is appreciated.

RECEIVED

JUL 28 1992

Federal Communications Commission
Office of the Secretary



MOTOROLA INC.

EX PARTE OR LATE FILED

ORIGINAL
FILE

Veronica A. Haggart
Corporate Vice President

Director of Government Relations

July 24, 1992

VIA HAND DELIVERY

The Honorable Alfred C. Sikes
Chairman
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

RECEIVED

JUL 26 1992

Federal Communications Commission
Chief of File Section

Re: "Big LEO" Proceedings

Dear Mr. Chairman:

This letter is in response to the letter that TRW, Inc. ("TRW") sent to you on July 22, 1992, in which TRW urges that the Commission not award any pioneer's preferences to "big LEOs" at the August 5, 1992, Commission open meeting.

Motorola believes that it is not in the public interest for the Commission to delay initiating rulemaking proceedings to incorporate MSS allocations adopted at WARC-92 in the domestic table of allocations, or to delay acting on the big LEO pioneer's preference requests now pending before it. In connection with big LEO pioneer's preference requests, Motorola notes that Section 1.402(d) of the Rules states that the Commission will make an initial determination on a request for a pioneer's preference at the time it adopts a notice of proposed rulemaking addressing the new service or technology proposed in the request. U.S. big LEO applicants must compete with proposed satellite systems outside the U.S. to provide MSS and RDSS in the bands above 1 GHz. Regulatory delay is a serious handicap to the U.S. big LEO applicants that wish to compete internationally in providing this new service.

Using a published report in the communications trade press as a pretext for arguing its position, TRW has sent a letter to you requesting that the Commission "give serious consideration to the adverse consequences of a grant of a pioneer's preference to any pending RDSS-MSS applicant." TRW has submitted a request for a pioneer's preference for its proposed big LEO system; however, it appears to have embarked on a campaign to delay and obstruct any other big LEO applicant from receiving such a preference.

Motorola has articulated, in its filings opposing TRW's requests to stay the big LEO pioneer's preference proceeding and to further reconsider the Commission's pioneer's preference rules, that the Commission has the authority under the Communications Act and relevant court precedent, including the

The Honorable Alfred C. Sikes
July 24, 1992
Page 2

Ashbacker doctrine, to grant one or more of the pending big LEO applicants a dispositive pioneer's preference for innovative proposals and technologies which enhance the use of the radio frequency spectrum. Motorola believes that it has submitted sufficient materials in the big LEO pioneer's preference proceeding to warrant receiving such a preference under the Commission's rules and standards. Motorola has also shown that a grant of a pioneer's preference to it for the IRIDIUM™ system would not preclude other pending big LEO applicants from obtaining authorizations for their proposed systems.

Motorola urges the Commission not to be distracted in its deliberations on these matters by press reports or arguments based upon such reports. It is in the interest of all those big LEO applicants who are truly serious about constructing MSS/RDSS satellite systems for the Commission to proceed with the processing of their applications, the establishment of domestic radio frequency spectrum, and the award of pioneer's preferences to the true innovator(s) in the field.

Under the procedural rules established by the Commission, it should issue a tentative preference at the time it announces proposed rule changes to implement the results of the WARC-92. If, notwithstanding the arguments presented by Motorola and others against TRW's petition for further reconsideration of the pioneer's preference rules, the Commission later decides to amend those rules in a manner which impacts upon previously awarded tentative preferences, the Commission will have ample opportunity to revise its preliminary determinations before awarding a permanent preference to any applicant.

As Motorola has indicated, any delay in these proceedings could adversely affect U.S. competitiveness and leadership in key components of the satellite industry. We therefore urge you to support the placement on the August 5th agenda of items affecting the allocation of frequencies for, and the licensing of, big LEOs, including any preliminary determinations concerning the award of a pioneer's preference.

Thank you for your consideration of these matters.

Yours truly,


Veronica A. Haggart

cc: Dr. Thomas J. Stanley
Counsel of Record



MOTOROLA INC.

Veronica A. Haggart
Corporate Vice President

Director of Government Relations

July 24, 1992

VIA HAND DELIVERY

The Honorable Sherrie P. Marshall
Federal Communications Commission
1919 M Street, N.W.
Room 826
Washington, D.C. 20554

Re: "Big LEO" Proceedings

Dear Commissioner Marshall:

This letter is in response to the letter that TRW, Inc. ("TRW") sent to you on July 22, 1992, in which TRW urges that the Commission not award any pioneer's preferences to "big LEOs" at the August 5, 1992, Commission open meeting.

Motorola believes that it is not in the public interest for the Commission to delay initiating rulemaking proceedings to incorporate MSS allocations adopted at WARC-92 in the domestic table of allocations, or to delay acting on the big LEO pioneer's preference requests now pending before it. In connection with big LEO pioneer's preference requests, Motorola notes that Section 1.402(d) of the Rules states that the Commission will make an initial determination on a request for a pioneer's preference at the time it adopts a notice of proposed rulemaking addressing the new service or technology proposed in the request. U.S. big LEO applicants must compete with proposed satellite systems outside the U.S. to provide MSS and RDSS in the bands above 1 GHz. Regulatory delay is a serious handicap to the U.S. big LEO applicants that wish to compete internationally in providing this new service.

Using a published report in the communications trade press as a pretext for arguing its position, TRW has sent a letter to you requesting that the Commission "give serious consideration to the adverse consequences of a grant of a pioneer's preference to any pending RDSS-MSS applicant." TRW has submitted a request for a pioneer's preference for its proposed big LEO system; however, it appears to have embarked on a campaign to delay and obstruct any other big LEO applicant from receiving such a preference.

Motorola has articulated, in its filings opposing TRW's requests to stay the big LEO pioneer's preference proceeding and to further reconsider the Commission's pioneer's preference rules, that the Commission has the authority under the Communications Act and relevant court precedent, including the Ashbacker doctrine, to grant one or more of the pending big LEO

The Honorable Sherrie P. Marshall
July 24, 1992
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applicants a dispositive pioneer's preference for innovative proposals and technologies which enhance the use of the radio frequency spectrum. Motorola believes that it has submitted sufficient materials in the big LEO pioneer's preference proceeding to warrant receiving such a preference under the Commission's rules and standards. Motorola has also shown that a grant of a pioneer's preference to it for the IRIDIUM™ system would not preclude other pending big LEO applicants from obtaining authorizations for their proposed systems.

Motorola urges the Commission not to be distracted in its deliberations on these matters by press reports or arguments based upon such reports. It is in the interest of all those big LEO applicants who are truly serious about constructing MSS/RDSS satellite systems for the Commission to proceed with the processing of their applications, the establishment of domestic radio frequency spectrum, and the award of pioneer's preferences to the true innovator(s) in the field.

Under the procedural rules established by the Commission, it should issue a tentative preference at the time it announces proposed rule changes to implement the results of the WARC-92. If, notwithstanding the arguments presented by Motorola and others against TRW's petition for further reconsideration of the pioneer's preference rules, the Commission later decides to amend those rules in a manner which impacts upon previously awarded tentative preferences, the Commission will have ample opportunity to revise its preliminary determinations before awarding a permanent preference to any applicant.

As Motorola has indicated, any delay in these proceedings could adversely affect U.S. competitiveness and leadership in key components of the satellite industry. We therefore urge you to support the placement on the August 5th agenda of items affecting the allocation of frequencies for, and the licensing of, big LEOs, including any preliminary determinations concerning the award of a pioneer's preference.

Thank you for your consideration of these matters.

Yours truly,


Veronica A. Haggart

cc: Dr. Thomas J. Stanley
Counsel of Record



MOTOROLA INC.

Veronica A. Haggart
Corporate Vice President

Director of Government Relations

July 24, 1992

VIA HAND DELIVERY

The Honorable Ervin S. Duggan
Federal Communications Commission
1919 M Street, N.W.
Room 832
Washington, D.C. 20554

Re: "Big LEO" Proceedings

Dear Commissioner Duggan:

This letter is in response to the letter that TRW, Inc. ("TRW") sent to you on July 22, 1992, in which TRW urges that the Commission not award any pioneer's preferences to "big LEOs" at the August 5, 1992, Commission open meeting.

Motorola believes that it is not in the public interest for the Commission to delay initiating rulemaking proceedings to incorporate MSS allocations adopted at WARC-92 in the domestic table of allocations, or to delay acting on the big LEO pioneer's preference requests now pending before it. In connection with big LEO pioneer's preference requests, Motorola notes that Section 1.402(d) of the Rules states that the Commission will make an initial determination on a request for a pioneer's preference at the time it adopts a notice of proposed rulemaking addressing the new service or technology proposed in the request. U.S. big LEO applicants must compete with proposed satellite systems outside the U.S. to provide MSS and RDSS in the bands above 1 GHz. Regulatory delay is a serious handicap to the U.S. big LEO applicants that wish to compete internationally in providing this new service.

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Motorola has articulated, in its filings opposing TRW's requests to stay the big LEO pioneer's preference proceeding and to further reconsider the Commission's pioneer's preference rules, that the Commission has the authority under the Communications Act and relevant court precedent, including the Ashbacker doctrine, to grant one or more of the pending big LEO

The Honorable Ervin S. Duggan
July 24, 1992
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Motorola urges the Commission not to be distracted in its deliberations on these matters by press reports or arguments based upon such reports. It is in the interest of all those big LEO applicants who are truly serious about constructing MSS/RDSS satellite systems for the Commission to proceed with the processing of their applications, the establishment of domestic radio frequency spectrum, and the award of pioneer's preferences to the true innovator(s) in the field.

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Thank you for your consideration of these matters.

Yours truly,



Veronica A. Haggart

cc: Dr. Thomas J. Stanley
Counsel of Record



MOTOROLA INC.

Veronica A. Haggart
Corporate Vice President
Director of Government Relations

July 24, 1992

VIA HAND DELIVERY

The Honorable James H. Quello
Federal Communications Commission
1919 M Street, N.W.
Room 802
Washington, D.C. 20554

Re: "Big LEO" Proceedings

Dear Commissioner Quello:

This letter is in response to the letter that TRW, Inc. ("TRW") sent to you on July 22, 1992, in which TRW urges that the Commission not award any pioneer's preferences to "big LEOs" at the August 5, 1992, Commission open meeting.

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The Honorable James H. Quello
July 24, 1992
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Yours truly,


Veronica A. Haggart

cc: Dr. Thomas J. Stanley
Counsel of Record



MOTOROLA INC.

Veronica A. Haggart
Corporate Vice President

Director of Government Relations

July 24, 1992

VIA HAND DELIVERY

The Honorable Andrew C. Barrett
Federal Communications Commission
1919 M Street, N.W.
Room 844
Washington, D.C. 20554

Re: "Big LEO" Proceedings

Dear Commissioner Barrett:

This letter is in response to the letter that TRW, Inc. ("TRW") sent to you on July 22, 1992, in which TRW urges that the Commission not award any pioneer's preferences to "big LEOs" at the August 5, 1992, Commission open meeting.

Motorola believes that it is not in the public interest for the Commission to delay initiating rulemaking proceedings to incorporate MSS allocations adopted at WARC-92 in the domestic table of allocations, or to delay acting on the big LEO pioneer's preference requests now pending before it. In connection with big LEO pioneer's preference requests, Motorola notes that Section 1.402(d) of the Rules states that the Commission will make an initial determination on a request for a pioneer's preference at the time it adopts a notice of proposed rulemaking addressing the new service or technology proposed in the request. U.S. big LEO applicants must compete with proposed satellite systems outside the U.S. to provide MSS and RDSS in the bands above 1 GHz. Regulatory delay is a serious handicap to the U.S. big LEO applicants that wish to compete internationally in providing this new service.

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The Honorable Andrew C. Barrett
July 24, 1992
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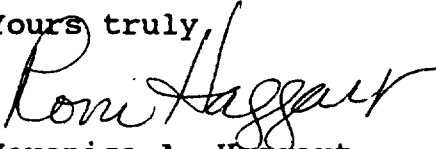
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Thank you for your consideration of these matters.

Yours truly,



Veronica A. Haggart

cc: Dr. Thomas J. Stanley
Counsel of Record

CERTIFICATE OF SERVICE

I, Philip L. Malet, hereby certify that the foregoing letter was served by first-class mail, postage prepaid, this 24th day of July, 1992 on the following persons:

- * Thomas P. Stanley
Chief Engineer
Federal Communications Commission
2025 M Street, N.W.
Room 7002
Washington, D.C. 20554
- * Raymond LaForge
Federal Communications Commission
Room 7334
2025 M Street, N.W.
Washington, D.C. 20554
- * William Torak
Deputy Chief
Spectrum Engineering Division
Federal Communications Commission
Room 7130
2025 M Street, N.W.
Washington, D.C. 20554
- * Cheryl Tritt
Chief, Common Carrier Bureau
Federal Communications Commission
Room 500
1919 M Street, N.W.
Washington, D.C. 20554
- * Robert L. Pettit
General Counsel
Federal Communications Commission
Room 614
1919 M Street, N.W.
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- * Wendell R. Harris
Assistant Bureau Chief
Common Carrier Bureau
Federal Communications Commission
Room 6010
2025 M Street, N.W.
Washington, D.C. 20554

- * Cecily C. Holiday
Chief, Satellite Radio Branch
Federal Communications Commission
Room 6324
2025 M Street, N.W.
Washington, D.C. 20554
- * James R. Keegan
Chief, Domestic Facilities Division
Common Carrier Bureau
Federal Communications Commission
2025 M Street, NW, Room 6010
Washington, DC 20554
- * Thomas Tycz
Deputy Chief
Domestic Facilities Division
Common Carrier Bureau
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Room 6010
2025 M Street, N.W.
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- Victor J. Toth, P.C.
Law Offices
2719 Soapstone Drive
Reston, VA 22091
(Counsel for Celsat, Inc.)
- Leslie Taylor, Esquire
Leslie Taylor Associates
6800 Carlynn Court
Bethesda, MD 20817-4302
(Counsel for Norris Satellite and LQSS)
- Linda K. Smith, Esquire
Robert Halperin, Esquire
Crowell & Moring
1001 Pennsylvania Ave., N.W.
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(Counsel for Loral Qualcomm)
- Bruce D. Jacobs, Esquire
Glenn S. Richards, Esquire
Fisher, Wayland, Cooper & Leader
1255 23rd Street, N.W.
Suite 800
Washington, D.C. 20037
(Counsel for AMSC)

Lon C. Levin
Vice President
American Mobile Satellite Corp.
1150 Connecticut Ave., N.W.
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Washington, D.C. 20036

Robert A. Mazer, Esquire
Albert Shuldiner, Esquire
Nixon, Hargrave, Devans & Doyle
One Thomas Circle, NW, Suite 800
Washington, DC 20005
(Counsel for Constellation)

Norman R. Leventhal, Esquire
Raul R. Rodriguez, Esquire
Stephen D. Baruch, Esquire
Leventhal, Senter & Lerman
2000 K Street, N.W.
Suite 600
Washington, D.C. 20006-1809
(Counsel for TRW, Inc.)

Jill Abeshouse Stern, Esquire
Shaw, Pittman, Potts & Trowbridge
2300 N Street, N.W.
Second Floor
Washington, D.C. 20037
(Counsel for Ellipsat)

A handwritten signature in black ink, appearing to read "Philip L. Malet", written over a horizontal line.

Philip L. Malet

* By Hand

EX PARTE OR LATE FILED

LAW OFFICES
LEVENTHAL, SENTER & LERMAN
SUITE 600
2000 K STREET, N.W.
WASHINGTON, D.C. 20006-1809

RECEIVED

JUL 23 1992

July 22, 1992
(Via Hand Delivery)
Federal Communications Commission
Office of the Secretary

ORIGINAL
FILE

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(202) 429-8970

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(202) 293-7783

TELEX
710-822-9260 NPL WSH

OF COUNSEL
TOBEY B. MARZOUK

NORMAN P. LEVENTHAL
MEREDITH S. SENTER, JR.
STEVEN ALMAN LERMAN
RAUL R. RODRIGUEZ
DENNIS P. CORBETT
BARBARA K. GARDNER
STEPHEN D. BARUCH
SALLY A. BUCKMAN
LAURA B. HUMPHRIES
EVAN D. CARB
LYNN M. CRAKES
DAVID S. KEIR*

* ADMITTED VA ONLY

The Honorable Alfred C. Sikes
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20854

Dear Mr. Chairman:

We are writing to you on behalf of our client, TRW Inc., which has applied for FCC authorization to construct the Odyssey satellite system -- one of the so-called "big LEO" systems. TRW has also filed a Petition for Further Reconsideration of the Commission's Report and Order in General Docket No. 90-217, the pioneer's preference proceeding, and has pending before the Commission a Motion for Stay of the processing of pioneer's preference requests in the big LEO proceeding.

The Petition for Further Reconsideration was placed on public notice on June 24, 1992, and the final reply comments are due today. A full round of comments and replies were filed in response to the Motion for Stay, and TRW had hoped the Commission would have acted on the motion by now. Instead, we read with interest and apprehension an article in this week's Satellite News which reports that three Commissioners are inclined to grant a pioneer's preference to Motorola's Iridium project. (A copy of the article is attached.)

While we recognize that trade press articles are not always accurate, unfortunately, in this instance, the report has given credibility to rumors which have long circulated within the Washington communications community, particularly in view of the Commission's decision of last week granting a pioneer's preference in the PCS proceeding. If, indeed, the article is not accurate, we would hope the Commission would clarify the matter publicly.

RECEIVED

JUL 23 1992

Federal Communications Commission
Office of the Secretary

LEVENTHAL, SENTER & LERMAN

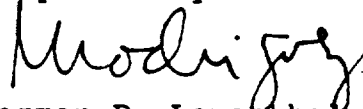
The Honorable Alfred C. Sikes
July 22, 1992
Page 2

TRW's analysis of the pioneer's preference rules, articulated in several TRW filings, is quite simple. The grant of a dispositive pioneer's preference to a mutually exclusive applicant based on a factual determination of "innovativeness" violates the Communication Act unless that determination is made pursuant to a "full hearing." The U.S. Supreme Court's decision in Ashbacker Radio Corp. v. FCC, 326 U.S. 327 (1945), leaves no doubt that Congress intended the Commission to resolve "substantial and material questions of fact" (e.g., whether an applicant is truly an "innovator") after a full hearing as provided for in Section 309(e) of the Act.

Because the pending applications for the use of the 1610-1626.5 and 2483.5-2500 MHz bands ("RDSS-MSS bands") are mutually exclusive proposals, a grant of a pioneer's preference to one applicant is tantamount to a dismissal of at least one, and possibly all, of the other RDSS-MSS applications. The prejudicial impact to the RDSS-MSS applicants of a grant of a pioneer's preference without the statutory and due process safeguards which form the basis of the Ashbacker decision is profound. Given this, as well as the detrimental impact on the Commission's longstanding procompetitive policies and on the international spectrum allocations proposed by the Commission and won by the U.S. Delegation to the just-completed World Administrative Radio Conference in Spain, TRW urges the Commission to give serious consideration to the adverse consequences of a grant of a pioneer's preference to any pending RDSS-MSS applicant.

An identical letter is being addressed to each Commissioner.

Respectfully submitted,



Norman P. Leventhal
Raul R. Rodriguez

RRR:nc

cc: Dr. Thomas J. Stanley, Chief Engineer
Robert L. Pettit, Esquire, General Counsel
All parties of record

Attachment

LAW OFFICES
LEVENTHAL, SENTER & LERMAN
SUITE 600

2000 K STREET, N.W.
WASHINGTON, D.C. 20006-1809

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DAVID S. KEIR*

TELEPHONE
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TELEX
710-822-9260 NPL WSH

July 22, 1992
(Via Hand Delivery)

OF COUNSEL
TOBEY B. MARZOUK

* ADMITTED VA ONLY

The Honorable Sherrie P. Marshall
Federal Communications Commission
1919 M Street, N.W.
Room 826
Washington, D.C. 20854

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An identical letter is being addressed to each Commissioner.

Respectfully submitted,



Norman P. Leventhal
Raul R. Rodriguez

RRR:nc

cc: Dr. Thomas J. Stanley, Chief Engineer
Robert L. Pettit, Esquire, General Counsel
All parties of record

Attachment

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July 22, 1992
(Via Hand Delivery)

OF COUNSEL
TOBEY B. MARZOUK

* ADMITTED VA ONLY

The Honorable Ervin S. Duggan
Federal Communications Commission
1919 M Street, N.W.
Room 832
Washington, D.C. 20854

Dear Commissioner Duggan:

We are writing to you on behalf of our client, TRW Inc., which has applied for FCC authorization to construct the Odyssey satellite system -- one of the so-called "big LEO" systems. TRW has also filed a Petition for Further Reconsideration of the Commission's Report and Order in General Docket No. 90-217, the pioneer's preference proceeding, and has pending before the Commission a Motion for Stay of the processing of pioneer's preference requests in the big LEO proceeding.

The Petition for Further Reconsideration was placed on public notice on June 24, 1992, and the final reply comments are due today. A full round of comments and replies were filed in response to the Motion for Stay, and TRW had hoped the Commission would have acted on the motion by now. Instead, we read with interest and apprehension an article in this week's Satellite News which reports that three Commissioners are inclined to grant a pioneer's preference to Motorola's Iridium project. (A copy of the article is attached.)

While we recognize that trade press articles are not always accurate, unfortunately, in this instance, the report has given credibility to rumors which have long circulated within the Washington communications community, particularly in view of the Commission's decision of last week granting a pioneer's preference in the PCS proceeding. If, indeed, the article is not accurate, we would hope the Commission would clarify the matter publicly.

LEVENTHAL, SENTER & LERMAN


The Honorable Ervin S. Duggan
July 22, 1992
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July 22, 1992
(Via Hand Delivery)

OF COUNSEL
TOBEY B. MARZOUK

* ADMITTED VA ONLY

The Honorable James H. Quello
Federal Communications Commission
1919 M Street, N.W.
Room 802
Washington, D.C. 20854

Dear Commissioner Quello:

We are writing to you on behalf of our client, TRW Inc., which has applied for FCC authorization to construct the Odyssey satellite system -- one of the so-called "big LEO" systems. TRW has also filed a Petition for Further Reconsideration of the Commission's Report and Order in General Docket No. 90-217, the pioneer's preference proceeding, and has pending before the Commission a Motion for Stay of the processing of pioneer's preference requests in the big LEO proceeding.

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LEVENTHAL, SENTER & LERMAN

The Honorable James H. Quello
July 22, 1992
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July 22, 1992
(Via Hand Delivery)

OF COUNSEL
TOBEY B. MARZOUK

* ADMITTED VA ONLY

The Honorable Andrew C. Barrett
Federal Communications Commission
1919 M Street, N.W.
Room 844
Washington, D.C. 20854

Dear Commissioner Barrett:

We are writing to you on behalf of our client, TRW Inc., which has applied for FCC authorization to construct the Odyssey satellite system -- one of the so-called "big LEO" systems. TRW has also filed a Petition for Further Reconsideration of the Commission's Report and Order in General Docket No. 90-217, the pioneer's preference proceeding, and has pending before the Commission a Motion for Stay of the processing of pioneer's preference requests in the big LEO proceeding.

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LEVENTHAL, SENTER & LERMAN

The Honorable Andrew C. Barrett
July 22, 1992
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SatelliteNews

Covering Technology, Regulation & Emerging Applications

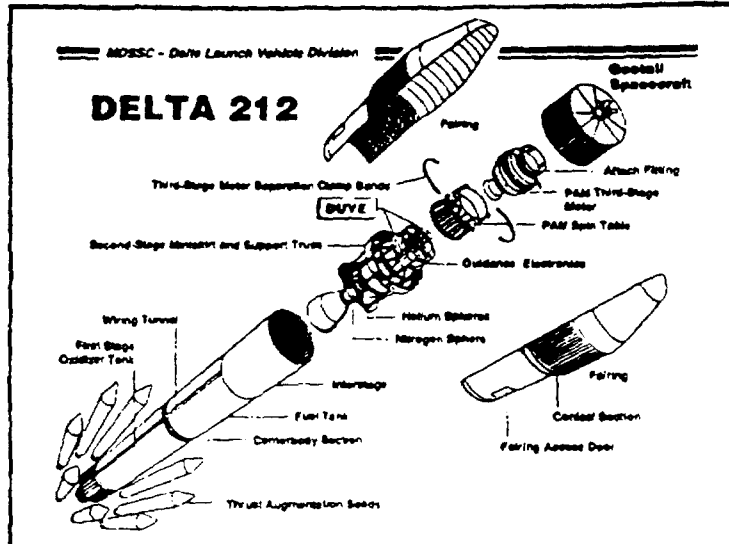
Via Satellite Magazine
World Satellite Directory
Satellite XII Conference

July 20, 1992
Washington, D.C.
Vol. 15, No. 29

Dear Executive:

As we went to press, McDonnell Douglas Space Systems Co. tentatively had scheduled the launch of NASA's Geotail spacecraft for this Friday between 10:26 a.m.-10:31 EDT on a Delta 2, version 6925, from launchpad 17A at Cape Canaveral Air Force Station, Fla. The Geotail mission is part of the International Solar Terrestrial Physics Project at the Goddard Space Flight Center in Greenbelt, Md., and is a joint effort between the Japanese Institute for Space and Astronautical Science (ISAS) and NASA.

Information gathered during the Geotail mission will allow scientists to model and better understand the effects of solar activity on the Earth's geomagnetic environment. Geotail will be the first spacecraft to make extensive measurements of magnetospheric physics processes in the Earth's geomagnetic tail. NEC of Japan supported ISAS's development of the Geotail spacecraft. The spacecraft will weigh 2,223 pounds at launch. The diameter of the spacecraft is 7.2 feet with a height of 5.2 feet. The design life of Geotail is approximately four years.



FCC NEARING DECISION ON PIONEER'S PREFERENCE STATUS FOR IRIDIUM

SATELLITE NEWS has learned that, as a result of direct lobbying by FCC Chairman Alfred Sikes with his fellow FCC commissioners, the FCC likely will award a highly coveted Pioneer's Preference status to Motorola's controversial low-earth-orbit (LEO) Iridium satellite project.

Sources familiar with the vagaries of the FCC's regulatory process told us that Sikes has become involved on a personal level--courting the two additional votes he needs to push through the pioneer classification. As we went to press, the commissioners appearing to favor granting the preference to Motorola were: Sikes, Andrew Barrett of Illinois (Motorola's home state) and James Quello.

Sources said that Commissioner Sherrie Marshall is adamantly opposed to granting a Pioneer's Preference for any Big LEO system. Ervin Duggan is believed to be undecided as to how to vote on the matter, which many believe will be dealt with during the commission's open meeting here on Aug. 5 at 2 p.m.

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